

Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC
ATTORNEYS AT LAW

ROY BARNES*
RICCARDO IACCARINO
CHARLES R. VIRGINIA**
LLOYD R. AMBINDER**
WENDELL V. SHEPHERD

3 Surrey Lane
Hempstead, New York 11550
(516) 483-2990
Fax: (516) 483-0566

258 Saw Mill River Road
Elmsford, New York 10523
Tel: (914) 592-5740
Fax: (914) 592-3213

111 Broadway
Trinity Centre
Suite 1403
New York, New York 10006
(212) 943-9080
Fax: (212) 943-9082

5 Mountain Avenue
North Plainfield, New Jersey 07060
Tel: (908) 757-2067
Fax: (908) 753-2238

OF COUNSEL:

MARC A. TENENBAUM***
ALBERT RODRIGUES
GIACCHINO RUSSO

KARIN ARROSPIDE
DANIELLE M. CARNEY
DANA HENKE^
STEVEN KERN^^
SAMER E. KHALAF***+
HEIDI MAHER
GILLIAN MCGOEY^^
YONGMIN OH
KELLIE T. WALKER
JUDY S. WONG

VIA ECF

November 8, 2007

Honorable Richard M. Berman, USDJ
United States District Court
Southern District of New York
500 Pearl Street, Room 21D
New York, NY 10007-1312

* Also Admitted in PA
** Also Admitted in NJ
*** Also Admitted in OH
^ Also Admitted in DC
^^ Also Admitted in CT
+ Also Admitted in MD

Re: Operative Plasterers & Cement Masons Local 262 v. City Decks, Inc.
07-CV-7954 (RMB)

Dear Judge Berman:

An initial conference has been scheduled for this matter on November 14, 2007 at 9:30 a.m.

The Plaintiff in the above referenced action is respectfully requesting the cancellation of the conference due to the fact that the Defendant failed to answer the Complaint and/or contact Plaintiff in any manner. Accordingly, the Plaintiff would request in lieu of an appearance, to file a Motion to Default forthwith.

Thank you for your cooperation in this matter.

Contact me should you have any questions.

Sincerely,


Danielle M. Carney, Esq.

DMC:jp

cc: Fund Office
City Decks, Inc. (via UPS)